

City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

02- 0 -1275

AN ORDINANCE TO CORRECT ORDINANCE Z-01-42 (01-0-1099), ADOPTED BY CITY COUNCIL NOVEMBER 19, 2001 AND APPROVED BY OPERATION OF LAW NOVEMBER 28, 2001, REZONING FROM R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO THE R-4B-C (SINGLE-FAMILY RESIDENTIAL-CONDITIONAL) DISTRICT, PROPERTY LOCATED AT **MOUNT GILEAD PLACE, S.W.**, SO AS TO CORRECT THE ZONING DESIGNATION SHOWN IN SECTION 1 OF SAID ORDINANCE TO WHICH SAID PROPERTY IS TO BE REZONED.

WHEREAS, ORDINANCE Z-01-42 (01-0-1099) was adopted by City Council on November 19, 2001 and approved by Operation of Law November 28, 2001 and;

WHEREAS, Said Ordinance was amended by City Council to change the district to which the property at **Mount Gilead Place, S.W.** was to be rezoned from the RG-1 (Residential General-Sector 1) District to the R-4B-C (Single-Family Residential-Conditional) District and;

WHEREAS, the appropriate conditions reflecting this change were properly attached to said ordinance. Said document entitled "Whispering Pines, An R-4B Single-Family Residential Neighborhood". And;

WHEREAS, the District designation in Section 1 of said ordinance was inadvertently not changed from RG-1 to R-4B-C when the amendment was made by City Council on November 19, 2001.

NOW THEREFORE, be it ordained by the Council of the City of Atlanta as follows:

SECTION 1. That all references to "RG-1" in Section 1 of Ordinance Z-01-42 (01-0-1099) are hereby deleted in their entirety and are hereby replaced with "R-4B-C".

SECTION 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.



City Council
Atlanta, Georgia

01- 0 -1099

AN ORDINANCE
BY: ZONING COMMITTEE

Z-01-42
Date filed 6-12-01

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta, Georgia be amended and the maps established in connection therewith be changed so that the following property located at Mt. Gilead Place, SW be changed from the R-4 (Single Family Residential) District to the RG-1 (Residential General-Sector 1) District to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 230 of the 14 District of Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development," as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulations variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Thanda Daughia Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

NOV 19, 2001

NOV 28, 2001

COUNCIL MEMBER: Jim Maddox DATE: 12/3/01

ORDINANCE I.D. #: 01-0-1009 RESOLUTION I.D. #: _____

PAGE #: _____ SECTION: _____

PARAGRAPH: _____ LINE: _____

CAPTIONS': Blue Back ☒ **Legislation** ☐

AMENDMENT:

Attach a new site Plan and
Conditions.

"Whispering Pines "

An R-4b Single Family Residential Neighborhood

Over the last several months The Summerour Group has planned a residential neighborhood for the Greenbriar Community. While its complexion has changed based on the desires of the existing neighbors, we have remained dedicated to providing a quality development. The issues that we have been asked to address by the leaders of the NPU-R have been as follows:

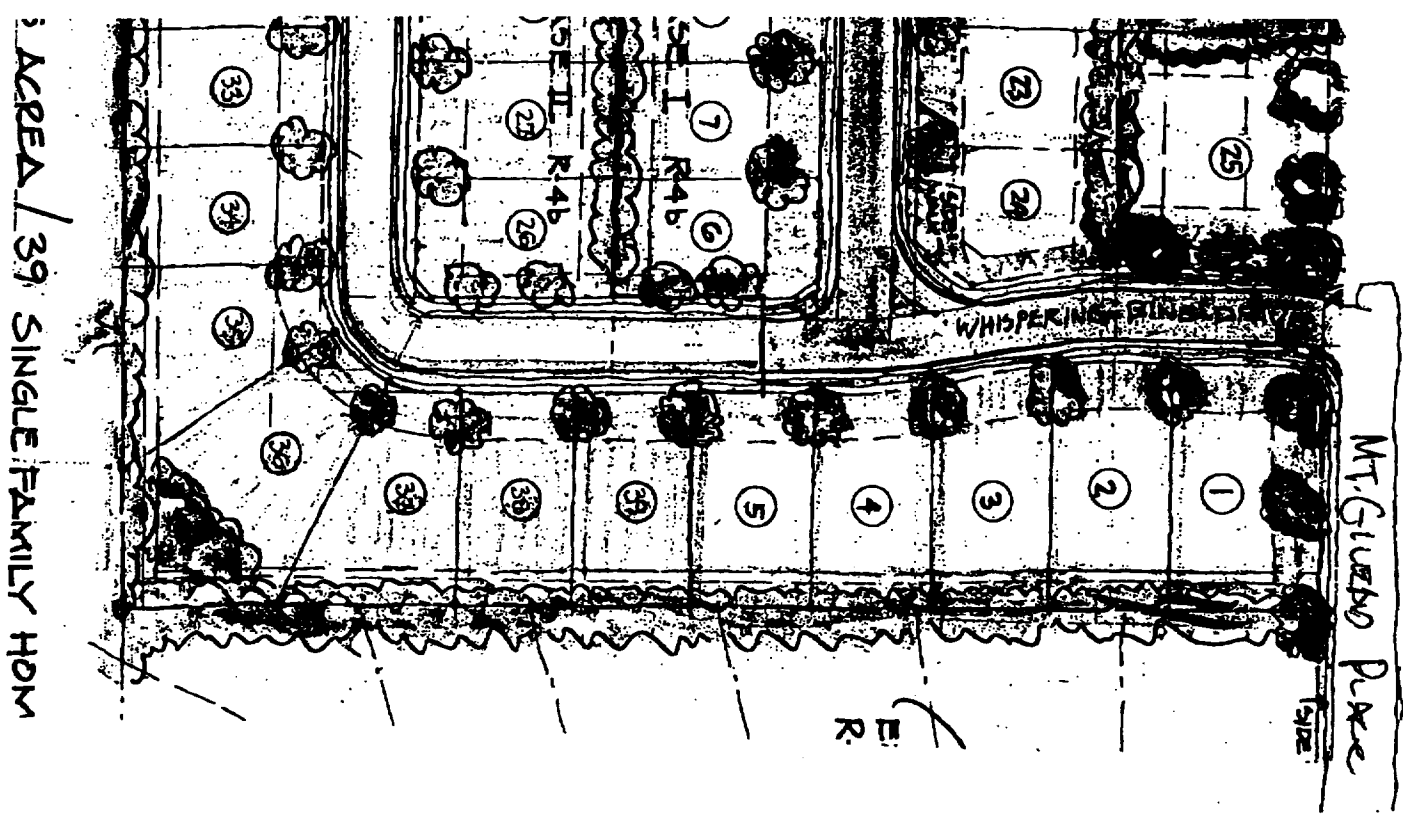
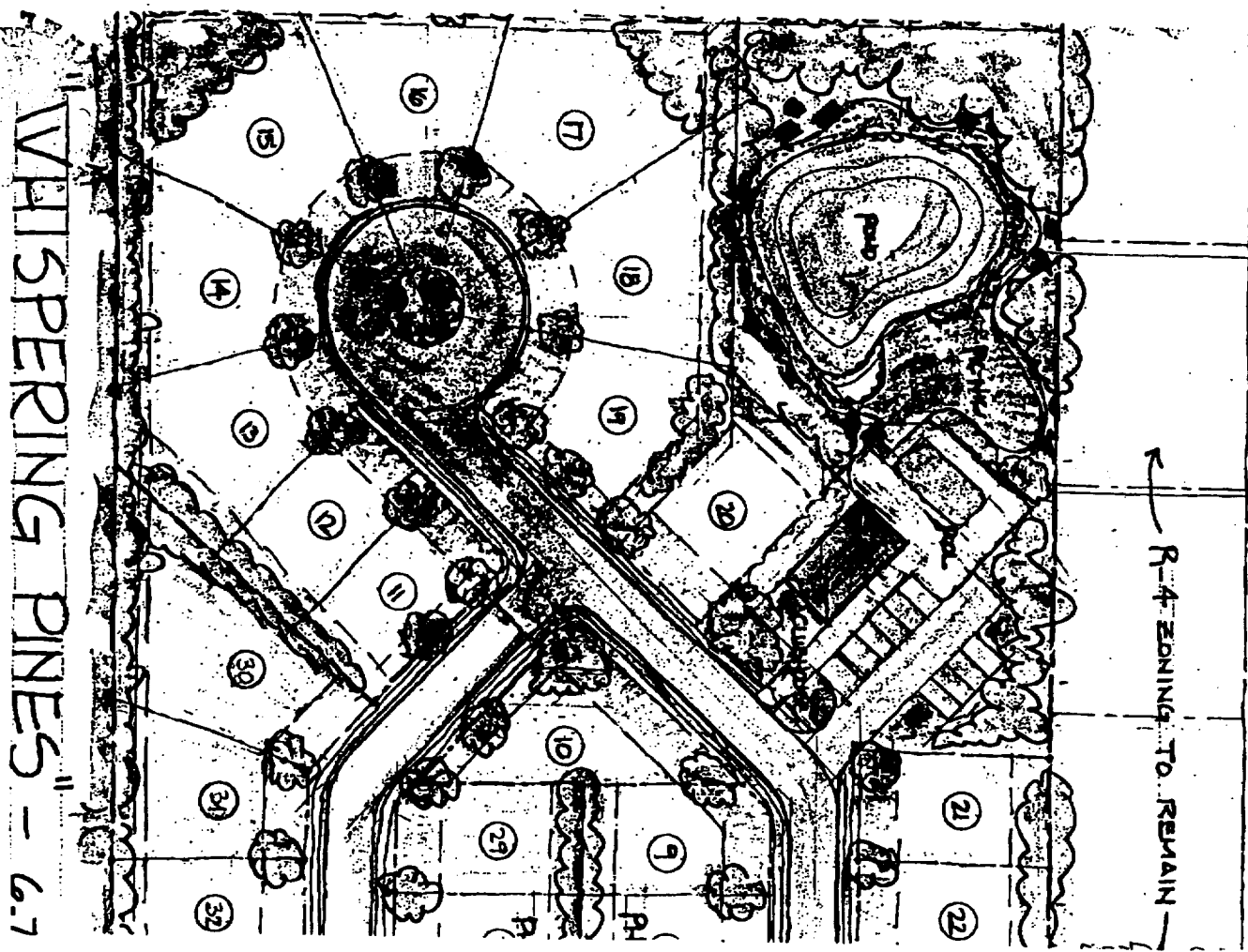
1. **Density** — Originally we were at 8 homes per acre. We reduced to 6+ after one request and then after our last meeting we were able to further reduce the Density number to just over 5.5 homes per acre.
2. **R4-b zoning** has been selected so that we will not set a precedent related to changing the Atlanta Comprehensive plan out of the R-4 zoning category.
3. **Setbacks** — We propose to keep the R-4 rear and side setbacks even though we could reduce slightly. We will respect the R-4b front yard setback at 20 feet.
4. **Property dimensions of proposed lots** — 50 feet wide by 85 feet (minimum) deep.
5. **Neighborhood design considerations** — We were asked to consider a style that would 'blend' with existing homes if possible. We moved from a 'cottage' look to one that incorporates palladium windows and uses a variety of building materials. We propose to provide 6 basic floor plans and for these to be 'cloaked' with brick, stucco and lap siding, with brick & stucco constituting about 30% of the facades of the homes.
6. **Trees** — We are willing to incorporate a 10 foot 'Landscape Strip' around the entire property that will respect all existing 'specimen trees'. Additionally we will erect tree barriers that conform to Atlanta's Tree Ordinance. No trees on any individual lot will be allowed to be removed until the Arborist has posted Notice in the neighborhood that allows neighbor concern. Additionally, Whispering Pines will replace trees that have to be taken by following the City Arborist required replacement guides.
7. **Sidewalks** — The Summerour Group is willing to construct sidewalks along the front of the existing lots on Mt. Gilead Place as well as meet the guidelines as established in the Subdivision Design Manual. Which basically says that there shall be sidewalks on both sides of any newly developed street except in cul-de-sacs.
8. **Warranties** — We will offer a standard 1-year warranty plus a 2:10 extended warranty.

We feel that we have attempted and succeeded in working with your leaders of the NPU-R to provide your neighborhood with a quality Single-Family community. We appreciate your support

Thank you!

The Summer our Group

TOM MOZEN



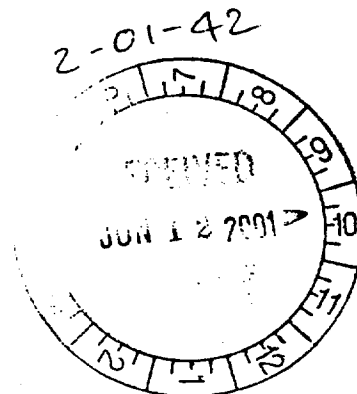


LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 230 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at the intersection of the southerly right-of-way of Mt. Gilead Place (40' right-of-way) with the west line of land lot 230; thence north 89 degrees 16 minutes 30 seconds east, 40.00 feet along the southerly right-of-way of Mt. Gilead Place to a point which is 943.13 feet westerly from the intersection of the southerly right-of-way of Mt. Gilead Place with the westerly right-of-way of Mt. Gilead Road (40' right-of-way) as measured along the southerly right-of-way of Mt. Gilead Place; thence south 00 degrees 45 minutes 00 seconds east, 73.75 feet to a point; thence south 53 degrees 51 minutes 18 seconds east, 43.75 feet to a point; thence north 89 degrees 16 minutes 30 seconds east, 242.07 feet to a point; thence north 00 degrees 43 minutes 30 seconds west, 100.00 feet to a point; thence north 89 degrees 16 minutes 30 seconds east, 50.00 feet to a point; thence south 00 degrees 43 minutes 30 seconds east, 100.00 feet to a point; thence north 89 degrees 16 minutes 30 seconds east, 312.14 feet to a point; thence south 01 degrees 29 minutes 57 seconds east, 403.75 feet to a point; thence south 89 degrees 02 minutes 30 seconds west, 684.48 feet to a point on the west line of land lot 230; thence north 00 degrees 45 minutes 00 seconds west, 516.50 feet along the west line of land lot 230 to the south right-of-way of Mt. Gilead Place and the POINT OF BEGINNING.

Said tract containing 6.57 acres.



01-0-1099

(Do Not Write Above This Line)

AN ORDINANCE Z-01-42
BY: ZONING COMMITTEE

AN ORDINANCE TO REZONE FROM THE R-4
(SINGLE FAMILY RESIDENTIAL) DISTRICT
TO THE RG-1 (RESIDENTIAL GENERAL-SECTOR
1) DISTRICT, PROPERTY LOCATED AT MT.
GILEAD PLACE, SW FRONTING 50 FEET ON THE
SOUTH SIDE OF MT. GILEAD PLACE BEGINNING
APPROXIMATELY 720 FEET WESTERLY FROM THE
SOUTHWEST CORNER OF MT. GILEAD ROAD.
DEPTH: VARIES. AREA: 6.57 ACRES.
LAND LOT 230, 14th DISTRICT, FULTON
COUNTY, GEORGIA.

OWNER: ISAAC S. SUMMEROUR
APPLICANT: THOMAS G. MOZEN

NPU: "R" COUNCIL DISTRICT 11

9/17/01 - TABLED
w/o objection ADOPTED BY
10/18/01 Remained Tabled
w/o objection 11/5/01
Remained Tabled w/o
objection
COUNCIL
Amended

- ☐ CONSENT REFER
☒ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER

Date Referred 7/16/01

Referred To: Z.R.B. & Zoning

Committee Sevins
Date 7-10-01
Chair Devin Starn

Committee Sevins
Date 9-17-01
Chair Devin Starn

Committee _____
Date _____
Chair _____
Actions _____
Fav, Adv, Held (see rev. side) _____
Other _____
Members _____
Refer To _____

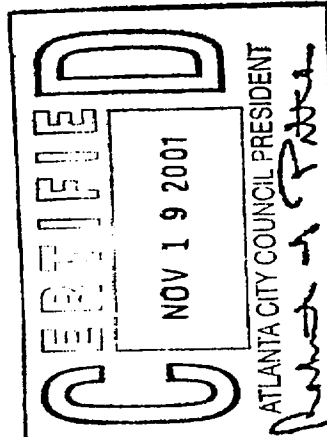
Committee _____
Date _____
Chair _____
Actions _____
Fav, Adv, Held (see rev. side) _____
Other _____
Members _____
Refer To _____

COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings

☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED



MAYOR'S ACTION

APPROVED

NOV 28 2001

WITHOUT SIGNATURE
BY _____

RCS# 3307
11/19/01
5:41 PM

Atlanta City Council

Regular Session

01-O-1099

Rezone from R-4 to RG-1
Attach Site Plan
ADOPT AS AMEND

YEAS: 8
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 3

NV McCarty	B Dorsey	NV Moore	Y Thomas
B Starnes	NV Woolard	Y Martin	Y Emmons
Y Bond	B Morris	Y Maddox	Y Alexander
Y Winslow	NV Muller	Y Boazman	NV Pitts

01-O-1099